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should be characterized as "cruel" (art. 22 on p. 535). The publication of an article in 1882 (p. 589 and note) can scarcely be called "recent". There is considerable reiteration of certain points and phrases, as for example, the frequent repetition of the statement that the so-called permanent Court of Arbitration of 1899 was a mere "panel or list of judges".

Chapter ix. on the Proposed Court of Arbitral Justice is of exceptional interest, but contains no suggestion of the important role played by the author in the elaboration and discussion of the American project. Especially valuable are the discussions of questions of arbitral procedure (see index). The reactionary attitude of Germany at both conferences is clearly exhibited, although there is no mention of Germany's opposition to the insertion of the phrase "more urgent than ever" in the resolution advocated by Great Britain in favor of the limitation of armaments. Mr. Scott plainly resents (p. 111) the failure of the conference to send a congratulatory telegram to its real initiator, Theodore Roosevelt, and calls special attention (p. 115) to the fact that "no American delegate was entrusted with the presidency of a commission."

There has been great need of a volume in English which should analyze the work of the Second Hague Conference in a manner at once interesting to the general reader and satisfactory to students and teachers of international law. For the successful accomplishment of this task Professor Scott deserves our heartiest thanks.

BOOKS OF AMERICAN HISTORY

The Federal and State Constitutions, Colonial Charters, and other Organic Laws of the States, Territories, and Colonies now or heretofore forming the United States of America. Compiled and edited under the Act of Congress of June 30, 1906, by FRANCIS NEWTON THORPE, Ph.D., LL.D. In seven volumes. (Washington: Government Printing Office. 1909. Pp. xxxv, 4430.)

FEW compilations can have a greater importance to the student of American history than a revised and properly enlarged edition of Poore's *Charters and Constitutions*. To say nothing of the well-known imperfections of that work, the thirty years that have passed since it was published have seen the adoption of something like twenty new state constitutions, and the passage by Congress of at least a dozen other organic laws. Their bulk adds more than a third to what is in Poore. The substitution of seven manageable octavo volumes for two large quartos is agreeable.

Criticism of such a work must address itself to questions of inclusion, of arrangement, of texts, and of notes. Since the book has no

preface, we are left to infer what principles of inclusion have been followed in respect to organic laws other than charters and constitutions. It is not easy to see, for instance, why Dr. Thorpe should include the act of 1812 enlarging the boundaries of Louisiana, and not that of 1866 enlarging Nevada; why he should omit the act of 1871 for the government of the District of Columbia, while giving those of 1801 and 1878; why, giving Cutt's commission of 1680 and Andros's of 1688, he should give no other commissions of royal governors; nor why he should include a text of the "Mecklenburg Declaration" of May 20, 1775. We ought all to be too grateful for the large amount of useful matter he has given us, extending down to the Oklahoma constitution of 1907 inclusive, to cavil at some omissions, for which indeed he may have explanation or defense. But it is a bad mistake to print on pp. 2590-2593, under New Jersey, a document styled "Charles II.'s Grant of New England to the Duke of York, 1676, exemplified by Queen Anne, 1712", without perceiving that, apart from the few lines of formal exemplification, it is the same document which one has already printed on pp. 1637-1640, under Maine, as "Grant of the Province of Maine, 1664".

The arrangement of the documents is like that of Poore, and admirably clear. First come the Declaration of Independence, the Articles of Confederation, and the Constitution with its amendments. Then come the grant of Ferdinand and Isabella to Columbus, April 30, 1492, the bull *Inter cactera* of May 4, 1493, the English letters patent of 1496 to Cabot, those to Gilbert and Raleigh, the charter of the Dutch West India Company, Heath's patent, the Articles of Confederation of New England, and the Albany Plan. Then follow the state documents, in alphabetical order. Twenty-seven pages of Illinois constitution of 1848 have the running headline "Illinois 1818". There is a good table of contents, and a fair index, of the "pub. doc." type.

Of the texts, vastly the greater part is the text of modern constitutions and acts, derived from official sources and presumably accurate. The texts of the colonial charters and other documents of that period cannot be praised. It is true that they present far greater difficulties. To determine what are authoritative texts (and indeed what documents should be included) requires unusual scholarship, to procure accurate copies of them involves much trouble. But the compiler of these volumes is content, *e. g.*, to take some translations and a larger number of texts from Ebenezer Hazard (A. D. 1792-1794), even Hazard's quite inaccurate translation of the charter of the Dutch West India Company. In the case of texts, I am careful not to allege inaccuracy except in cases where it is demonstrable by the use of photographic facsimiles accessible to everyone—the bull *Inter cactera* of May 4, the patent to Cabot (nine errors in the first 27 lines), the *Mayflower* Compact (six errors in that brief document), and the New England Confederation, of which Dr. Thorpe's text is not an entirely accurate reproduction of

either Pulsifer's, Bradford's, Winthrop's or that of the Hartford manuscript. The Plymouth patent of January 13, 1630, is wrongly dated 1629.

The foot-notes are confined within modest limits, but are not free from grave error. It is twice stated (pp. 1621, 1827) that the Virginia patent of 1606 "*gave the lands* along the North American coast between the thirty-fourth and the forty-fifth degrees of north latitude to two companies", etc. Note *c* on p. 3035 shows the editor not duly cognizant of the traits of a writ of privy seal, not patent under the great seal, in the passage above. He conceives of the act of 1790 for the government of the territory of the United States south of the Ohio as being among the organic acts of Kentucky. In the case of New Hampshire an excellent body of notes has been supplied by Mr. A. S. Batchellor.

The chief general criticism to be made upon Dr. Thorpe's foot-notes is that, whereas a proper appreciation of the scope and bearing of many of these acts and constitutions depends largely upon a knowledge of changing boundary lines and of other facts of historical geography, the information supplied on these matters is often insufficient and sometimes quite erroneous. Striking examples of this weakness may be seen if a reader having in mind the West Florida episode will examine the notes under Alabama, Louisiana, and Mississippi. Three notes on p. 2594 belong on p. 2533.

J. FRANKLIN JAMESON.

History of the City of New York in the Seventeenth Century. By MRS. SCHUYLER VAN RENSSELAER. Volume I. *New Amsterdam*; Volume II. *New York under the Stuarts*. (New York: The Macmillan Company. 1909. Pp. xxviii, 533; xii, 640.)

THE city of New York has not yet attained the literary dignity of Rome, which can show a list of several thousands of treatises upon its history, antiquities, and topography. As however Mrs. Van Rensselaer in her present work has appended a list of five hundred and fifty "Books and Articles of Value" (the latter mostly of a documentary nature), very largely used by her in the preparation of her history of the eighty-two years from Hudson's voyage in 1609 to the fall of Leisler in 1691, we may say that New York, for the period of its infancy, has made a very good start. If from this formidable list we eliminate the comparatively limited number of collections of official documents and of contemporaneous treatises of one sort or another we have remaining a long array of histories and monographs of various descriptions, some of which are good, many are indifferent or suspicious, and some are shocking. The value, therefore, of a new writer's work in this particular field must depend largely upon the judgment which he shows in accepting or in rejecting the deductions of his predecessors.

The author of the work under review has some special qualifications for her undertaking. Her untiring industry in historical research is so